# ORDINANCE NO. 200

An ordinance providing for the creation of a water and sewer commission for the City of Atkins, Pope County, Arkansas, and defining its duties: creating the office of water and sewer superintendent of the water and sewer system and defining its duties; fixing rates to be paid for water from the water system of the City, and providing for the collection of the same; providing for the rules and regulations for operation and maintenance of the water of the city of Atkins, and fixing penalties for the violation thereof.

Be it ordained by the City Council of the City of Atkins, Pope County, Arkansas.

SECTION 1. There is hereby created a water and sewer commission for the City of Atkins, Pope County, Arkansas, which said commission shall be composed of three members, who shall be resident electors and real estate owners of said City of Atkins, Arkansas, and who shall be appointed by the Mayor, subject to the approval of the council. They shall be members of the Board of Alderman of the City of Atkins, Arkansas.

SECTION 2. The members of said commission shall qualify by taking the oath of office prescribed by article nine of the Constitution of the State of Arkansas and shall organize by electing one of the members of the commission as chairman and one as secretary. And said commission shall control and supervise the water works system and the sewer system of the City of Atkins, and shall recommend to the City Council from time to time such rules and measures as may be necessary for the proper maintenance and operation of said systems. Provided that said commission shall exercise no control over the said systems until same have been duly accepted by the City Council.

SECTION 3. All bills for expenditure and accounts of water works and sewer systems shall be audited and approved by said commission before being paid, and all purchases of supplies, machinery and material and all employment of labor, help and fixing the compensation therefor, for said water works and sewer systems shall be made by said commission.

SECTION 4. The water and sewer commission shall keep a full and complete and comprehensive account of the receipts and expenditures of the water works system and the sewer system in separate accounts The funds shall be applied first, to the payment of all expenses incident to the operation and maintenance of extension of said systems. Second to the payment of outstanding obligations. Third the unexpended funds to be transferred to the City treasurer at the pleasure of the City Council; all funds belonging to said systems shall be deposited in some

bank or banks of the City to be approved by the commission- to the credit of said system, and shall be paid out upon warrants, drawn by authority of said commission, in keeping with the requirements of this ordinance, said warrants shall state on their face for what purpose they are drawn and on what fund drawn; said warrants shall be signed by the superintendent and counter signed by the Chairman of the commission.

SECTION 5. Said water and sewer commission shall report to the City Council at its regular meeting each month and offener if said commission deem it necessary, stating the condition, necessities and progress of said department, with any recommendation relative thereto said commission may deem proper, and at the same time said commission shall submit a statement of all receipts and disbursements of said department, during the preceeding month.

SECTION 6. For the proper management and control of said water and sewer systems of the City, there is hereby created the office of Superintendent of water and sewer systems, who shall be appointed by said water and sewer commission, and shall hold his office as such for such time as may be determined by said commission, not to exceed two years, and shall receive such compensation as may be determined by said commission; provided that said commission shall not have power to make any contract or agreement with any person to fill said position of superintendent in which the right is not reserved to discharge said superintendent at any time for incompetency, neglect of duties or other misconduct.

SECTION 7. Said superintendent shall devote his time and attention to the duties of his office, which may be particularly prescribed by said commission and for the faithful performance of same shall give his bond to the City of Atkins with surety to be approved by said commission, in the sum of one thousand dollars before entering upon the duties of said office. He shall be the subject to the rules and regulations herein provided, and advise and approve of water and sewer commission, have the general supervision over the water and sewer systems of the City and shall perform his duties herein prescribed and all duties that may be required of him by ordinances of the city; said superintendent may be removed at any time by said commissioners of the city council for any neglect of duty or for other good cause.

SECTION 8. The superintendent shall see that all employes of the department do their duty, and thal all rules and regulations thereof are complied with, and he shall have the power to suspend or discharge any employee for the neglect of duty or other sufficient cause.

SECTION 9. All applications for service attachments to the distribution pipes for the purpose of introducing water into or on premises must be maid in writing to the superintendent upon blanks furnished for said purpose, and must state fully the prpose of introducing water and for which purpose water is desired and thereupon the said superintendent shall issue a permit for such water service upon payment of a fee of one dollar therefor and shall pay the sum $2.50 for tapping 2 inch main and the sum of $5.00 for tapping 6 inch main.

SECTION 10. All tapping of the water main, and the laying of pipe and installing the necessary fixtures from main to curb line chall be made under the direction and supervision of the superintendent and all streets dug up shall be repaired by consumer.

SECTION 11: The superintendent shall determine the number and size of all taps from the main to the curb line, and the tapping of mains and installing of meters, and laying of pipe to the curb line shall be done at the expense of the consumer, subject to the fules and inspection of the superintendent, provided that all tapping of mains shall be done under the direction of the superintendent at a charge of $2.50 for 2 inch mains and $5.00 for 6 inch mains.

SECTION 12. The city shall not be liable for any damage by reason of breakage or defects in any mains, pipes, hydrants, service cocks or other fixtures or appliances or for any lack of preasure or failure to furnish water, or incompetency of any employee connected with said department.

SECTION 13. The consumer shall cuase to be installed at his expense at or near the sidewalk at chu point as shall be determined by the superintendent, stop cock and stop boxes and no water shall be furnished until this is done; said street stop boxes shall be of such plans as the superintendent, subject to the approval of the commission, shall require, and all stop boxes shall be flush with the side walk.

SECTION 14. Every person using water from said system shall, at all reasonable times permit the superintendent and members of the water and sewer commission or any other person duly authorized by the city council to enter upon and into the premises and buildings of the consumer to examin the pipes and fixtures and inspect the entire service and the manner in which the water is used, any person who shall refuse to permit such inspection shall have his water supply cut off.

SECTION 15. The city reserves the right at any time, without notice, to cut off water in the mains for the purpose of making repairs, and shall not be liable for damages that may accrue therefrom, or from any failure to furnish any water on account of break of any part of the aparatus of water works and sewer system or failure of same to operate. And the city reserves the right to cut off the water of any person or person who violate any of the rules of the department.

SECTION 16. Every service pipe must be furnished with stop and waste cock, inside the premises and below the action of frost, so situated that the water can be drained from the pipe; when cold enough to freeze water in the pipe it must be shut off and emptied by the consumer.

SECTION 17: The superintendent shall at the last of each month, read all water meters, and make a record of the amount due for service by each consumer, and include the record of the reading of the meters in his monthly report for the month in which collection is made; said superintendent shall deliver the said readings to the City Recorder, and said recorder shall make out a bill for each consumer as shown by said readings as delivered to him, and shall deliver the said readings to the City Recorder, and said recorder shall make out a bill for each consumer as shown by said readings as delivered to him, and shall deliver the said bills to the City Marshal; the City Marshal shall proceed to collect the said bills and turn same over to the commissioners of water and sewer systems of the city, and all bills shall be paid to the said City Marshal on or before the 10th day of the month. And the City reserves the right to inspect and control all meters.

SECTION 18: It shall be unlawful for any person to open any hydrant valve or cock for the purpose of using water, except for domestic purposes while a fire is in prgress, and any person doing so shall be guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not less than five dollars nor more than twenty-five dollars.

SECTION 19: No person shall remove, injure, deface, obstruct or damage any hydrant, valve, box cover, stop cock or cover, main, pipe, fixture or appliance or any building, property, or machinery of any description belonging to said water or sewer system, and no person without due authority and in the presence of the superintendent or his authorized agent shall make any excavation at or near to any main, or tap or attempt to tap any main of the water works system; and no person except as may be duly authorized by the city council shall open or attempt to open any fire hydrant in said city, and person who shall violate any provision of this section, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in any sum not less than one dollar nor more than five dollars.

SECTION 20: The water rates for the city shall be as follows: $1.75 minimum for the first two thousand gallons; 60 cents per thousand gallons for the next three thousand gallons; 50 cents per thousand for the next five thousand gallons; 40 cents per thousand for the next five thousand gallons; 30 cents per thousand gallon for the next fifteen thousand gallons; 25 cents per thousand gallon per the next twenty five thousand gallons; 15 cents per thousand gallon for all above fifty-five thousand gallons; minimum rate per month $1.75.

SECTION 21: Any person desiring water service on premises not on the street may at the direction of the superintendent, lay at his own expense a pipe from the main point of service upon paying the tapping fees herein provided; said pipe to be the size and character required by the commission, and to be laid in the manner directed by said commission.

SECTION 22: This ordinance being necessary for the immediate preservation of the public health and safety, it is ordered that same is in force from and after its passage and publication.

PASSED AND APPROVED 12th day of Oct. 1926. E. A. WILLIAMS
Mayor

ATTEST:
E. L. HENDRICK, Recorder